

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRANDON DAVID WRIGHT,

Plaintiff,

v.

JAY INSLEE, *et al.*,

Defendants.

Case No. C23-854-JHC

ORDER DISMISSING CIVIL RIGHTS
ACTION

The Court, having reviewed Plaintiff's complaint (Dkt. # 5), Defendants' motion for summary judgment (Dkt. # 18), the Report and Recommendation (R&R) of the Honorable S. Kate Vaughan, United States Magistrate Judge (Dkt. # 27), Plaintiff Objections to the R&R (Dkt. # 29); Defendants' Response to Plaintiff's Objections to the R&R (Dkt. # 30), and the remaining record, hereby finds and ORDERS as follows:

(1) As the R&R observes, the applicable law—including 42 U.S.C. § 1997e(a) and Supreme Court and Ninth Circuit authority regarding the same—requires complete and proper exhaustion before a Section 1983 action may be brought. The R&R accurately describes the administrative remedies available to Plaintiff. Dkt. # 27 at 5-6. Plaintiff does not provide evidence that he exhausted these remedies.

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1 (2) Accordingly, the Report and Recommendation is approved and adopted.

2 (3) The Court GRANTS Defendants' motion for summary judgment (Dkt. # 18).

3 (4) The Court DISMISSES Plaintiff's complaint (Dkt. # 5) without prejudice for
4 failure of Plaintiff to comply with the exhaustion requirement of 42 U.S.C. § 1997e(a).

5 (5) The Clerk is directed to send copies of this Order to Plaintiff, to counsel for
6 Defendants, and to the Honorable S. Kate Vaughan.

7 DATED this 26th day of April, 2024.

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10 JOHN H. CHUN
11 United States District Judge
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